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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/295,580 04/22/99 ARAKAWA

T Q53921

PM82/1027
SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20037

EXAMINER

NGUYEN, T

ART UNIT

PAPER NUMBER

10/27/99

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



**UNITED STATES DEPARTMENT OF COMMERCE
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(J)

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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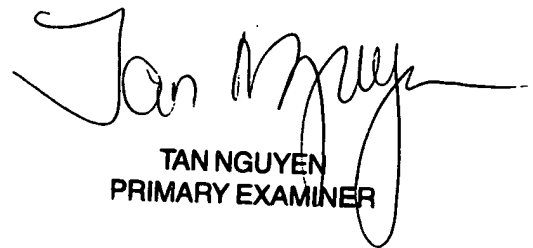
NGUYEN, T	
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3661 9

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Commissioner of Patents and Trademarks


**TAN NGUYEN
PRIMARY EXAMINER**

Office Action Summary

Application No.

09/295,580

Applicant(s)

ARAKAWA ET AL.

Examiner

TAN Q NGUYEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 1999.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☐ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 17) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: _____

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DETAILED ACTION

Notice to Applicant(s)

1. This office action is responsive to the amendment filed on September 22, 1999. None of the claims are amended or canceled. Thus, claims 3-6 are pending.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "an input device for inputting location information for a point of interest, ... by a user of the map display system" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirson (5,220,507), Fukushima et al. (5,270,936) in view of Kakihara et al. (5,293,163) or Nakhla (5,526,265).

a. With respect to claim 3, Kirson discloses the invention as claimed (see at least the abstract) which includes a means for extracting map data, location name and coordinate data corresponding thereto of a location (see figure 5, item 73), a position detector for detecting a vehicle position (see figure 1, item 14), a display (see figure 1, item 18), and a map display controller for displaying a map on the display based on the map data and superimpose the vehicle position on the map displayed (see figure 1, item 11, and figure 5). Kirson et al. also disclose a location name display control device for displaying a destination location name on the map display based on the destination location data (see at least figures 2, 4 and 5). Kirson also discloses a calculating device for calculating the distances from the vehicle position to a destination, and a location name display device for displaying location name and its distance (see figures 4 and 5).

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Kirson do not explicitly disclose that the calculated distance is straight line distance. However, such calculated distance is too old and well known at the time the invention was made (see Fukushima et al. in at least figures 1, 3 and columns 3 and 4 for example). It would have been obvious to incorporate the teaching of Fukushima et al. into the system of Kirson in order to simplify the calculation and time consuming about the calculated distance, there by improving the navigation system.

Kirson do not explicitly disclose that the plurality of distances are calculated from the vehicle to a plurality of locations, and such locations are displayed in ascending order. However, Kakiyama et al. suggest a navigation apparatus for vehicles which includes a display means for displaying location names of a plurality of locations based on the location name data in an ordered determined according to their distance values (see at least figures 5A, 6, and the related text). In addition, Nakhlia suggests the same feature as shown in at least figure 4, screen 56 and the related text). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kakiyama or Nakhlia into the system of Kirson, in the case when a plurality of destinations are desired (e.g. all the destination as in figures 2 are selected), to calculate the distance of each of the desired destinations and to display all the location names in an ordered according to their distances, thereby allowing the driver to see all the desired destinations together with their distances, and help the driver to make a quick decision of selecting a desired destination.

Kakiyama et al. do suggest that the location names are displayed in an order but not ascending order. However, as mention above, Kirson does suggest the displaying of the plurality routes in an ascending order and further includes a selecting device for selecting a desired route from among the plurality of displayed routes (see at least figure 4 and the related text). It would have been further motivated one of ordinary skill in the art at the time the invention was made to

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combine the teachings of Kirson and Kakiyara et al. or Nakhla in order to produce the system with the enhanced capability of, in case of having plurality of location names as in Kakiyara et al. or Nakhla, displaying the plurality of location names in an ascending order, thereby allowing the user to easily selecting the desired one with the minimum time.

b. With respect to claim 4, Nakhla discloses such feature as shown in at least figure 4 and the related text.

c. With respect to claims 5 and 6, the limitations of these claims have been noted in the rejections above. They are therefore considered rejected as set forth above. It is noted that Kirson does suggest a key for entering the point of interest (see at least figure 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the calculated distances between the point of interest to the destination point, in which the point of interest is difference than the current position in order to allow the user to perform more information as desired.

6. All claims are rejected.

Remarks

7. Applicant's arguments filed on September 22, 1999 have been fully considered but they are not deemed to be persuasive.

In the amendment, applicants essentially argue that the references cited fail to disclose the display location names based on calculated distance. However, upon examination of the claims, the references cited clearly cover the subject matter AS CLAIMED by the applicants in

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the rejections set forth above. Therefore, the rejection under 35 U.S.C. § 103 is considered to be proper.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Nguyen, whose telephone number is (703) 305-9755. The examiner can normally be reached on Monday-Thursday from 7:30 AM-5:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

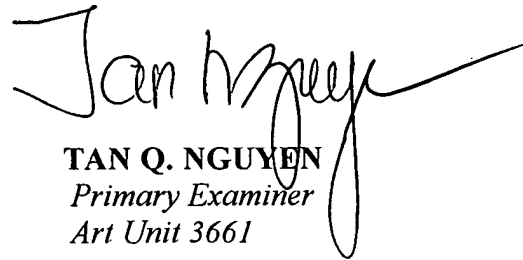
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(703) 305-7687, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal
Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to
the Group receptionist whose telephone number is (703) 308-1113.

/tqn
October 25, 1999


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661